

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Daniel Giansante	Team: Team # 5	CCRB Case #: 201310503	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 10/30/2013 2:15 AM	Location of Incident: 76 Christopher Street and 6th Precinct stationhouse	Precinct: 06	18 Mo. SOL 4/30/2015	EO SOL 4/30/2015	
Date/Time CV Reported Fri, 11/01/2013 3:02 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 11/07/2013 2:50 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Jonathan Hom	09652	940269	006 PCT
2. An officer			006 PCT
3. Officers			006 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Jonathan Hom	Abuse: PO Jonathan Hom stopped § 87(2)(b)	
B. Officers	Abuse: Officers stopped § 87(2)(b)	
C. Officers	Force: Officers used physical force against § 87(2)(b)	
D.POM Jonathan Hom	Discourtesy: PO Jonathan Hom spoke rudely to § 87(2)(b)	
E. An officer	Discourtesy: An officer spoke rudely to § 87(2)(b)	
F.POM Jonathan Hom	Abuse: PO Jonathan Hom did not obtain medical treatment for § 87(2)(b)	
G. An officer	Force: An officer used physical force against § 87(2)(b)	
H.POM Jonathan Hom	Force: PO Jonathan Hom used physical force against § 87(2)(b)	

Case Summary

On November 1, 2013, § 87(2)(b) filed the following complaint by telephone with IAB, generating original log number 2013-46289. The CCRB received the complaint on November 7, 2013.

On October 30, 2013, at approximately 2:15 a.m., § 87(2)(b) left a bar located at 76 Christopher Street in Manhattan. PO Jonathan Hom and two unidentified officers approached him from behind and grabbed his hand (**Allegations A and B**). § 87(2)(b) pulled his hand away and turned around. He realized the men were officers and said, "Get the hell away from me." The officers shoved him to the ground and pinned him down with their knees (**Allegation C**). § 87(2)(b) sustained a deep laceration to his chin, small cuts and bruises to his right arm, a deep laceration to his right thumb, and swelling and bruises under his right eye. Once inside the 6th Precinct stationhouse § 87(2)(b) became irate and kicked the cell gate. PO Hom and another unidentified officer told § 87(2)(b) to "shut the fuck up" (**Allegations D and E**). § 87(2)(b) replied, "Fuck you. Kiss my fucking ass." § 87(2)(b) also told the officers he wanted to go to the hospital because his thumb was bleeding (**Allegation F**). An unidentified officer punched § 87(2)(b) in the face and PO Hom elbowed him in the face (**Allegations G and H**). § 87(2)(b) was then handcuffed with both hands to the bench and both his legs were shackled to the bench. IAB identified PO Hom as the subject officer. Therefore Allegations A, D, F, and H are pleaded against PO Jonathan Hom of the 6th Precinct. Neither IAB nor police documents identified any of the other officers involved. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

On November 12, 2013, the undersigned investigator called § 87(2)(b) and left a message, and also mailed a please-call letter. The investigator called and left messages at that number four more times between then and November 25, 2013. The investigator also mailed a final please-call letter on November 19, 2013. The investigator performed Whitepages and LexisNexis searches which confirmed § 87(2)(b) address and provided another possible telephone number. The investigator called that number on November 19, 2013, and November 21, 2013, and each time was unable to leave a message. On November 19, 2013, the investigator performed a NYC DOC search, the results of which confirmed that § 87(2)(b) was not incarcerated. As of the date of this report, § 87(2)(b) has not tried to contact the investigator or the CCRB. § 87(2)(g)

§ 87(2)(b)

Team: 5

Investigator: _____	Daniel Giansante	_____
Signature	Print	Date

Supervisor: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
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Title/Signature

Print

Date